



**US Army Corps
of Engineers.**

New York District
26 Federal Plaza
New York, N.Y. 10278
ATTN: CENAN-OP-ST

Public Notice

In replying refer to:
Public Notice No. LIIW 03
Published: June 16, 2003 Expires: July 15, 2003

LONG ISLAND INTRACOASTAL WATERWAY, NEW YORK FEDERAL NAVIGATION PROJECT MAINTENANCE DREDGING

TO WHOM IT MAY CONCERN:

The New York District, U.S. Army Corps of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 (33 U.S.C. 1344) of the Federal Water Pollution Control Act (amended in 1977 and commonly referred to as the Clean Water Act), proposes to perform maintenance dredging of the Long Island Intracoastal Waterway federal navigation project with subsequent placement of the dredged material as shorebird habitat enhancement on Warner Island in Long Island Intracoastal Waterway.

ACTIVITY: Maintenance dredging of the Long Island Intracoastal Waterway, New York Federal Navigation Project.

WATERWAY: Long Island Intracoastal Waterway

LOCATION: Suffolk County, New York.

The Long Island Intracoastal Waterway, New York Federal navigation project was authorized by the Rivers and Harbors Act of 26 August 1937, House Document No. 181, 1st session.

The existing navigation project provides for a navigation channel 6 feet deep, 100 feet wide from the Federally improved channel in the Great South Bay, opposite Patchogue, to the south end of the Shinnecock Canal. The total length of the project is approximately 33.6 miles (Map 1). The current dredging cycle will involve dredging of Shinnecock Bay of the channel (Map 2A).

Dredged material from this project is being evaluated for beneficial use as shorebird habitat enhancement that is proposed to occur at Warner Island located in Long Island Intracoastal Waterway. Preliminary investigations have identified this island as being suitable for habitat enhancement. Dredged material from the Intracoastal Waterway would be placed to enhance nesting habitat for shorebirds, which require open/semi-open sandy habitats. The island is presently heavily vegetated. Dredged material placement would only occur above mean high water elevations. Further investigations by the U.S. Army Corps of Engineers, U.S. Fish and

Wildlife Service, New York State Department of Environmental Conservation, Suffolk County Parks Department, and Town of Southampton will be conducted in the development of detailed enhancement plans. Proposed enhancement activities will be contingent upon federal, state and municipal agencies and landowners approval. Enhancement activities will not occur during the shorebird breeding season, April 1 to September 1.

The Corps of Engineers is soliciting comments from the public; federal, state and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Comments are used to assess impacts on navigation, water quality, endangered species, historic resources, wetlands, scenic and recreational values, and other public interest factors. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act and to determine the need for a public hearing.

ALL COMMENTS REGARDING THIS ACTIVITY MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE AT THE ADDRESS ON THE FRONT PAGE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person who has an interest that may be affected by this project may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest that may be affected and the manner in which the interest may be affected by the activity. It should be noted that information submitted by mail is considered just as carefully in the process and bears the same weight as that furnished at a public hearing.

No known archaeological, scientific, prehistorical or historical data are expected to be lost by work accomplished under the required dredging.

Reviews of the activity pursuant to Section 404 of the Clean Water Act will include application of the guidelines announced by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. The Corps will obtain a water quality certificate (WQC) from the New York State Department of Environmental Conservation in accordance with Section 401 of the Clean Water Act.

Pursuant to Section 307 of the Coastal Zone Management Act of 1972 as amended [16 USC 1456(c)], for activities conducted or supported by a federal agency in a state which has a federally approved Coastal Zone Management (CZM) program, the Corps will submit a determination that the proposed project is consistent with the State CZM program to the maximum extent practicable. This activity is subject to review by the New York State Department of State for its consistency with the enforceable policies of the New York State Coastal Management Program. The New York District of the U.S. Army Corps of Engineers has determined that the proposed activities are consistent to the maximum extent practicable within the applicable policies of the New York State Coastal Management Program. A copy of this determination is provided to the New York State Department of State, Division of Coastal Resources. Additional information regarding the Corps of Engineers' consistency determination may be obtained by contacting the New York State Department of State, Division of Coastal Resources, 41 State Street, Albany New York 12231, Attention: Consistency Review.

In compliance with Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (1996 amendments), an Essential Fish Habitat Assessment will be prepared and submitted to the National Marine Fisheries Service for review and comment.

The proposed work is being coordinated with the following Federal, State and local agencies:

- U.S. Environmental Protection Agency
- U.S. Department of the Interior, Fish and Wildlife Service
- U.S. Department of Commerce, National Marine Fisheries Service
- U.S. Coast Guard, Third District
- New York State Department of Environmental Conservation
- New York State Department of State

If you have any questions concerning this notice, you may contact this office at (212) 264-9032 and ask for Mr. Leo Strogach. Comments or questions may be FAXED to (212) 264-4260 ATTN: Mr. Leo Strogach or e-mailed to leo.b.strogach@usace.army.mil.

DESCRIPTION OF PLANNED ACTION:

The U.S. Army Corps of Engineers, New York District (the Corps) proposes to perform maintenance dredging in Shinnecock Bay of the Long Island Intracoastal Waterway Federal Navigation Project, with placement of dredged materials for shorebird habitat enhancement that is proposed to occur at Warner Island located in Shinnecock Bay (Map 2B). This section of the channel was last dredged in 1992 as part of a larger maintenance dredging effort of the entire channel. Approximately 74,000 cubic yards (CY) of material were dredged from that section of Shinnecock Bay in 1992. The proposed maintenance dredging effort will remove approximately 70,000 CY of material from Shinnecock Bay. Dredging will be to the authorized depth of 6 feet with an allowable overdepth of 2 additional feet. Dredging quantities are based on condition surveys taken in March 2003.

The purpose of the proposed dredging is to maintain the authorized project dimensions, thereby assuring safe and economical use of the Long Island Intracoastal Waterway by boating interests.

Maintenance dredging of the Long Island Intracoastal Waterway Federal navigation project will be accomplished by pipeline dredge, clamshell dredge, or similar plant. The entire channel will generally not require maintenance dredging; only areas where shoaling has reduced the depth of the channel will require dredging.

Dredged material placement will occur outside the shorebird breeding season (April 1 to September 1).

ENVIRONMENTAL IMPACT STATEMENT:

A Final Environmental Impact Statement (EIS) was prepared by the U.S. Army Engineer District, New York in December 1976. An Environmental Assessment was prepared by the New

York District in 1985 updating this EIS. It was determined that maintenance dredging of the Long Island Intracoastal Waterway Federal Navigation Project, with placement of the dredged material at appropriate upland site has no significant adverse environmental impacts on water quality, marine resources, fish, wildlife, recreation, aesthetics and flood protection.

An update to the Environmental Assessment (EA) and a 404 (b) evaluation as required by the Clean Water Act 40 CFR 230 will be prepared prior to the implementation of the proposed work.

PLACEMENT SITE:


The dredged material from this project will be placed for shorebird habitat enhancement at Warner Island located in Long Island Intracoastal Waterway, which is presently heavily vegetated. Dredged material from the Intracoastal Waterway would be placed to enhance nesting habitat for shorebirds, which require open/semi-open sandy habitats. Dredged material placement would only occur above mean high water elevations areas. The dredged material will be placed on the site by pipeline or similar dredge. If insufficient capacity or other considerations limit the use of the proposed island, then the dredged material would also be placed at ocean beach locations near the dredging sites.

MATERIAL DESCRIPTION:

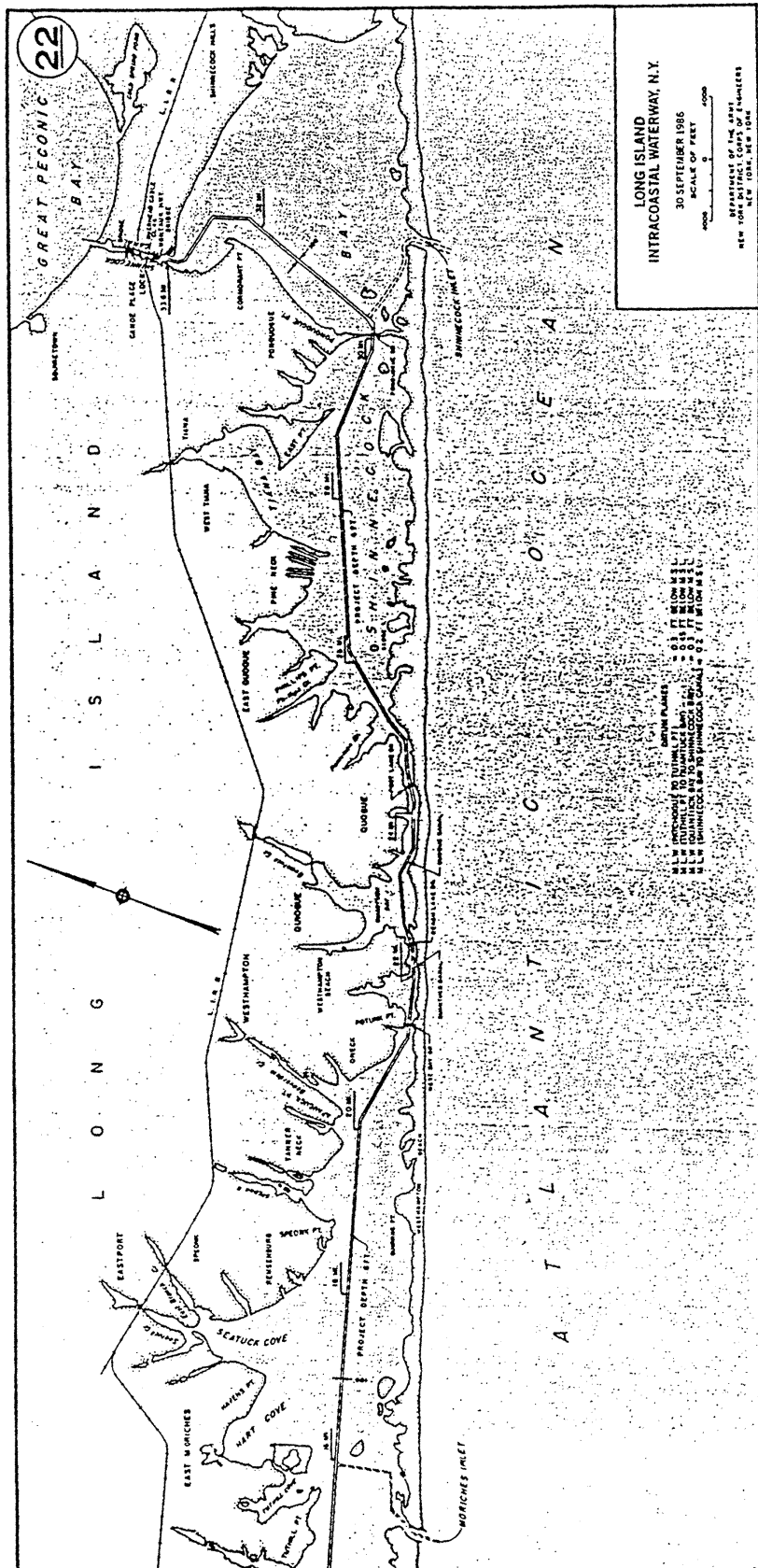
Based on the testing performed in March 2003, the proposed dredged material sand composition varies from 42% in Shoal C to greater than 90% in Shoals D and F (Map 2A).

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and who did not receive a copy of this notice.

For more information on New York District Corps of Engineers programs, please visit our web site at <http://www.nan.usace.army.mil>


John R. Hartmann
Chief, Operations Division

Encls.
Project Maps



Map 1B

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